

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against

DARIUS PADUCH,

Defendant.

No. 23 Cr. 181 (RA)

**~~PROPOSED ORDER~~**

WHEREAS, the Court and the parties seek to ensure that DARIUS PADUCH has meaningful access to review discovery and other case materials while detained at the Metropolitan Detention Center, Brooklyn (“MDC”); and

WHEREAS, the Court seeks to ensure that such discovery access does not jeopardize the security and operational interests of the MDC Brooklyn;

IT IS HEREBY ORDERED that

1. DARIUS PADUCH may have access to an “air-gapped” laptop computer (the “Laptop”) that is disabled from accessing the internet, local area networks, or other electronic devices;
2. Upon receipt of an acceptable laptop computer from counsel for DARIUS PADUCH, the Government shall (a) ensure that the laptop is appropriately “air gapped” and compatible with the MDC Brooklyn’s security requirements; (b) load the laptop with certain non-sensitive discovery in this case; and (c) deliver the laptop to the proper authorities at the MDC Brooklyn at a reasonable time deemed appropriate;
3. The Laptop shall be password-protected and maintained in a location acceptable to Bureau of Prisons personnel;
4. Bureau of Prisons personnel will provide DARIUS PADUCH with access to the

Laptop Monday through Friday in the visiting room, during times approved by prison personnel.

5. This Order remains in effect until the trial in this matter is completed and a copy of this Order shall be made available to any unit where DARIUS PADUCH is housed;
6. DARIUS PADUCH shall execute an agreement setting forth his understanding that he may use the Laptop for the sole purpose of reviewing discovery and legal materials that relate to his criminal case; that he shall not share the Laptop or the materials loaded onto the Laptop with other inmates or with any attorney not appointed to or retained on this case without an order of this Court; that he is strictly prohibited from printing, photographing, copying, sending, publishing, or transferring any information from the Laptop; that he will not access or attempt to access the internet or any form of wireless communication, and that he will forfeit his right under this Order to use the Laptop, and that he may expose himself to criminal prosecution for possessing or distributing a “prohibited object” as that term is defined in 18 U.S.C. § 1791(d) in the future, should he violate any of these understandings.
7. This Court will revisit this Order and DARIUS PADUCH’s access to the Laptop if it appears that DARIUS PADUCH is not abiding by this Order.
8. Within forty-eight hours of MDC Brooklyn’s receipt of the Laptop from the Government, DARIUS PADUCH shall receive access to the Laptop subject to the following conditions:

- a. DARIUS PADUCH will be brought to the visiting room upon his request to the unit officer Monday through Friday (with an effort to provide DARIUS PADUCH access on a daily basis);
- b. DARIUS PADUCH shall not have possession of any charging apparatus or cord that connects to the laptop.

Dated: New York, New York

December 13, 2023

SO ORDERED



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The Honorable Ronnie Abrams  
United States District Court  
Southern District of New York